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10/788,516	02/27/2004	Fenghua Zhou	US3819	6897
25859	7590	05/12/2008		
WEI TE CHUNG FOXCONN INTERNATIONAL, INC. 1650 MEMOREX DRIVE SANTA CLARA, CA 95050			EXAMINER WONG, ERIC TAK WAI	
			ART UNIT	PAPER NUMBER
			3693	
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			05/12/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/788,516

Applicant(s)

ZHOU, FENGHUA

Examiner

ERIC T. WONG

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant argues that none of Pratt et al., AAP (hereinafter "AAP"), Polk, or their combination, teaches or suggests "converting the demanded data on auditing into an electronic auditing file according to a format of EDI reporting required by a relevant customs authority." Applicant acknowledges that the EDI transaction mechanism can be used for transmitting business information on customs (see page 3 of Remarks) but argues that Polk does not teach or suggest "converting the demanded data on auditing into an electronic auditing file according to a format of EDI reporting required by a relevant customs authority." Examiner disagrees. Examiner asserts that converting data into an EDI format is inherent in using the EDI transmission mechanism, which Applicant admits is taught by the prior art. The claimed feature is merely applying a known technique to a known method ready for improvement to yield predictable results. More specifically, submitting declarations for auditing is a known method ready for improvement (see Background of the Invention, paragraph 4), and the EDI transaction mechanism is a known technique which could be applied to improve this method with predictable results, ie. improving manageability by reducing paper flow (see Background of the Invention, paragraph 5).
2. Applicant challenges the Official Notice taken that setting serial numbers of electronic account books, account years, cut-off times, starting times, names and states of auditing periods was old and well known in the art at the time of invention. In response to this argument, Examiner provides Schuler et al. (US Patent No. 5,855,005) as a reference. Schuler et al. teaches setting serial numbers of electronic account books, account years, cut-off times,

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starting times, and names and states of auditing periods (see FIG. 4D "audit_activity" table and FIG. 15 "Audit Period").

3. Since Applicant did not challenge the Official Notice taken in regards to the limitations of claims 4, 9, and 13, the limitations of those claims are now construed as Applicant admission of prior art.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-16 rejected under 35 U.S.C. 103(a) as being unpatentable over Pratt et al. (US Patent No. 5,315,505) in view of AAP, further in view of Polk (US Patent No. 7,072,909).

5. Regarding claim 1,

Pratt et al. teaches an auditing periods definition module for defining auditing periods, and for creating, updating, inquiring of and deleting the auditing periods, (see column 7 lines 12-33); a data collection module for collecting demanded data on auditing, wherein the demanded data on auditing includes information on physical inventory, information on book inventory, information on quantities of in-process materials and information on units of in-process materials, the information on units of in-process materials being accounting units of in-process materials, (see column 7 lines 12-33); determining whether information on book inventory

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matches information on physical inventory, (see column 7 lines 12-33); a data carrying module for updating book inventory, and for carrying forward the updated book inventory to a next auditing period, (see column 7 lines 12-33); a data inquiry module for inquiring of data on auditing, the data on auditing including declarations, electronic account books, return receipts and information on a customs bulletin board, (see column 7 lines 12-33); providing an explanation report on balancing of book inventory and physical inventory (see column 6 lines 2-12).

AAP, not Pratt et al., teaches determining whether a declaration is acceptable, (see specification, paragraph 4). It would have been obvious to one of ordinary skill in the art at the time of invention to modify Pratt et al. with determining whether a declaration is acceptable. One of ordinary skill in the art would have been motivated to make the modification to increase efficiency and reduce handling costs (see specification, paragraph 5).

Pratt et al. and AAP do not teach a data transmission module for converting the demanded data on auditing into an electronic auditing file according to a format of EDI reporting required by a relevant customs authority, and for transmitting the electronic auditing file to the customs system; and a return receipt identification module for downloading a return receipt from the customs system.

Polk teaches using EDI for accumulation processing, transmittal, and receipt of business-related information that was once dependent on paper transactions. Polk further teaches the use of EDI for customs (see column 1 lines 42-62). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the auditing system of Pratt et al. with including a data transmission module for converting the demanded data on auditing into an electronic auditing file according to a format of EDI reporting required by a relevant customs authority, and for transmitting the electronic auditing file to a customs system.

One skilled in the art would have been motivated to make the modification to increase efficiency and reduce handling costs. Further, the claimed feature is merely applying a known technique to a known method ready for improvement to yield predictable results. More specifically, submitting declarations for auditing is a known method ready for improvement (see Background of the Invention, paragraph 4), and the EDI transaction mechanism is a known technique which could be applied to improve this method with predictable results, ie. improving manageability by reducing paper flow (see Background of the Invention, paragraph 5).

As discussed above, Pratt et al. teaches determining whether information on book inventory matches information on physical inventory and providing an explanation report on balancing of book inventory and physical inventory. Pratt et al. does not explicitly teach a return receipt identification module for downloading a return receipt from the customs system for determining whether a declaration is acceptable based on the return receipt.

Traditionally, the customs applicant fills out a declaration manually and is ultimately notified whether or not the declaration is acceptable. Polk suggests using EDI to replace paper transactions. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the auditing system of Pratt et al. further with downloading a return receipt from the customs system for determining whether a declaration is acceptable based on the return receipt. One skilled in the art would have been motivated to make the modification to increase efficiency and reduce handling costs.

6. Regarding claim 3,

Pratt et al. teaches wherein the electronic auditing file includes an electronic account book, data on auditing, the declaration and the return receipt, (see column 7 lines 12-33).

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7. Regarding claim 4,

AAP teaches an inventory transmission sub-module for converting the information on book inventory and information on physical inventory into an Excel compatible file, and for transmitting the Excel compatible file at the end of each auditing period.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the auditing system of Pratt et al. further with an inventory transmission sub-module for converting the information on book inventory and information on physical inventory into an Excel compatible file, and for transmitting the Excel compatible file at the end of each auditing period. One skilled in the art would have been motivated to make the modification for the benefit of increased portability of the information.

8. Regarding claim 5,

Pratt et al. teaches wherein the data collection module comprises an in-process materials maintenance sub-module for transmitting the information on quantities of in-process materials and information on units of in-process materials (see column 7 lines 12-33).

9. Regarding claim 6,

Pratt et al. teaches wherein the data collection module comprises an inventory statistics sub-module for counting the quantity of the book inventory and physical inventory (see column 7 lines 12-33).

10. Regarding claim 7,

Pratt et al. teaches wherein the data collection module comprises an operation adjustment sub-module for recording information on inventory change based on balancing of the book inventory and physical inventory (see column 7 lines 12-33).

11. Regarding claim 8,

The claim is a method claim corresponding to the periodical auditing system of claim 1. Accordingly, please see the above rejection of claim 1.

12. Regarding claim 9,

AAP teaches collecting the demanded data on auditing comprises the step of converting the information on book inventory and information on physical inventory into an Excel compatible file, and transmitting the Excel compatible file at the end of each auditing period.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the auditing system of Pratt et al. further with collecting the demanded data on auditing comprises the step of converting the information on book inventory and information on physical inventory into an Excel compatible file, and transmitting the Excel compatible file at the end of each auditing period. One skilled in the art would have been motivated to make the modification for the benefit of increased portability of the information.

13. Regarding claim 10,

Pratt et al. teaches wherein the step of collecting the demanded data on auditing comprises the step of collecting the information on quantities of in-process materials and information on units of in-process materials as at a cut-off time, and transmitting the collected information (see column 7 lines 12-33).

14. Regarding claim 11,

Pratt et al. teaches wherein the step of collecting the demanded data on auditing comprises the step of recording information on inventory change based on balancing of book inventory and physical inventory as at a cut-off time at the end of each auditing period (see column 7 lines 12-33). Examiner notes that in the reference the cut-off time at the end of an auditing period is the time in which the inquiry is made.

15. Regarding claim 12,

Pratt et al. teaches wherein the step of collecting the demanded data on auditing comprises the step of counting a quantity of book inventory and physical inventory as at a cut-off time at the end of each auditing period, (see column 7 lines 12-33). Examiner notes that in the reference the cut-off time at the end of an auditing period is the time in which the inquiry is made.

16. Regarding claim 13,

AAP teaches wherein the step of determining whether the declaration is acceptable comprises the step of collecting the demanded data on auditing again if the declaration is unacceptable.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the auditing system of Pratt et al. further with wherein the step of determining whether the declaration is acceptable comprises the step of collecting the demanded data on auditing again if the declaration is unacceptable. One skilled in the art would

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have been motivated to make the modification in order to correct any errors which may have occurred.

17. Regarding claim 14,

Pratt et al. teaches carrying forward the book inventory comprises the step of counting a quantity of the book inventory and updating the book inventory (see column 7 lines 12-33).

18. Regarding claim 15,

Pratt et al. teaches inquiring of information on any or more of declarations, electronic account books, return receipts and information on a customs bulletin board.

19. Regarding claim 16,

The claim is a method claim corresponding to the periodical auditing system of claim 8. Accordingly, please see the above rejection of claim 8.

20. Claim 2 rejected under 35 U.S.C. 103(a) as being unpatentable over Pratt et al. in view of AAP, further in view of Polk, further in view of Schuler et al.

21. Regarding claim 2,

Pratt et al. teaches setting cut-off times, starting times, and states of auditing periods but does not explicitly teach setting serial numbers of electronic account books, account years, and names of auditing periods.

Schuler et al. teaches setting serial numbers of electronic account books, account years, cut-off times, starting times, and names and states of auditing periods (see FIG. 4D "audit_activity" table and FIG. 15 "Audit Period").

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the auditing system of Pratt et al. further with setting serial numbers of electronic account books, account years, and names of auditing periods. One skilled in the art would have been motivated to make the modification because doing so would help facilitate the access of past records.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Goatly et al. (US PG-Pub 2002/0103869 A1) and Rabindranath Dutta et al. (US PG-Pub 2003/0023522 A1) both teach using electronic data interchange for customs declarations (paragraphs 2, 25 and 31).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIC T. WONG whose telephone number is 571-270-3405. The examiner can normally be reached on Monday-Friday 9:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James A. Kramer can be reached on 571-272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James A. Kramer/
Supervisory Patent Examiner, Art Unit 3693

ERIC T. WONG
Examiner
Art Unit 3693

May 7, 2008